

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William C. Bullard  
Serial No. 09/276,207  
Filed: 03/25/1999  
For: **CAPTURING QUALITY OF SERVICE**

Examiner: Akers, Geoffrey  
Art Unit: 3624

Commissioner for Patents  
Washington, D.C. 20231

Official  
FAX RECEIVED

FEB 06 2003

Sir:

**RESPONSE TO THE OFFICE ACTION MAILED 06 NOVEMBER 2002**

GROUP 3600

In response to the office action mailed 06 November 2002, Applicant offers the following remarks. Applicant has added an independent claim not previously paid for and includes a credit card payment form in the amount of \$84.00 for this additional independent claim. If any additional fees are required in association with this response, the Director is hereby authorized to charge them to Deposit Account 50-1732, and consider this a petition therefor.

**In the claims:**

Please add new claim 21 as follows:

--21. A method of billing a subscriber, comprising:  
accepting a contract with the subscriber to provide a networking transmission service having a first characteristic;  
providing the subscriber with provided networking transmission service;  
observing at the network that the provided networking transmission service to the subscriber has a second characteristic; and  
billing the subscriber for the networking transmission service having the second characteristic rather than for the service having the first characteristic.--.

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